



Order Filed on May 8, 2023  
by Clerk,  
U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in compliance with D.N.J. 9004-1(b)

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**IN RE:**

**FREDERICO C MAGALHAES, Debtor  
and CONCRETE SOLUTIONS NJ LLC,  
Codebtor**

Case No.: 22-13079-SLM

Chapter 13

Judge: Stacey L. Meisel

**CONSENT ORDER MODIFYING STAY AS TO MOTOR  
VEHICLE**

**2022 Chevrolet Silverado 2500 HD Crew Cab Custom 4WD 6.6L V8 T-  
Diesel**

The relief set forth on the following pages, number two (2) through three (3) is hereby **ORDERED**.

**DATED: May 8, 2023**

  
Honorable Stacey L. Meisel  
United States Bankruptcy Judge

Debtor: Frederico C. Maldonado  
Case No.: 22-13079-SLM  
Caption of Order: Consent Order Modifying Stay as to Motor Vehicle

1. The 11 USC §362(a) Automatic Stay and the 11 USC § 1301 Codebtor Stay as to Ally Capital, its successors and/or assigns ("Movant"), with respect to the personal property of the Debtor described as a 2022 Chevrolet Silverado 2500 HD Crew Cab Custom 4WD 6.6L V8 T-Diesel, V.I.N. 1GC4YMEY6NF186521, in accordance with the agreement of the Debtor and Movant, is hereby modified and shall remain in effect PROVIDED THAT Debtor comply with the following terms and conditions:
  - a. The Debtor will resume making regular monthly installment payment in the amount of \$1,122.12 as they become due Commencing on May 26, 2023.
  - b. The Debtor will cure post-petition arrears due in the total amount of \$10,865.44 on or before May 05, 2023.
2. The term " payment" as set forth in Paragraph 1, *supra*, does not include a check that is returned due to insufficient funds, account closed or is otherwise not capable of negotiation for any other reason.
3. Debtor will be in default under the Consent Order in the event that Debtor fails to comply with the payment terms and conditions set forth in above Paragraph 1, *supra*. If Debtor fails to cure the default within thirty (30) days from the date of default, Movant may apply on five days' notice to Debtor, Codebtor, Counsel for Debtor and the Chapter 13 Trustee for an order lifting the automatic stay imposed under 11 U.S.C. §362(a) and codebtor stay imposed under 11 U.S.C. §1301 and permitting Movant to exercise any rights under the loan documents with respect to the motor vehicle including, but not limited to, initiating and completing a sale of the motor vehicle without regard to any future conversion of this matter to a different form of bankruptcy.
4. In the event Debtor convert to a bankruptcy under any Chapter other than Chapter 13 of the Bankruptcy Code, then Debtor shall pay all pre-petition arrears and post-petition delinquent payments, fees, and charges due and owing within fifteen (15) days from the date the case is converted from Chapter 13 to any other Chapter. If Debtor fails to make payments in accordance with this paragraph, then Movant, through counsel, may file a Certification of Default setting forth and failure and Movant shall be granted immediate relief from the automatic stay and Codebtor stay under the provisions of Section 362 of the Bankruptcy Code (11 U.S.C. §362) and under the provisions of Section 1301 of the Bankruptcy Code (11 U.S.C. §1301) the Movant is

Debtor: Frederico C Magallanes

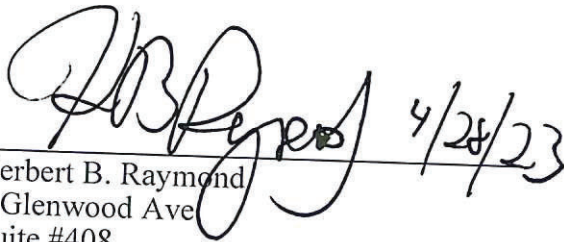
Case No.: 22-13079-SLM

Caption of Order: Consent Order Modifying Stay as to Motor Vehicle

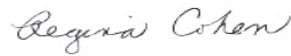
then permitted to exercise any rights under the loan documents with respect to the motor vehicle including, but not limited to, initiating, and completing a sale of the motor vehicle. The failure of Movant to issue a notice of default will not be construed or act as a waiver of any of the rights of Movant under the Consent Order.

5. The debtor waives the fourteen (14) day stay provided under Rule 4001(a)(3), F.R.B.P.

**We hereby consent to the form and entry of the foregoing Order.**



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